

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
WEDNESDAY, OCTOBER 19, 1988  
7:30 P.M.

ROLL CALL                    Present:        Council Members - Hinchman, Olson,  
                                                                 Snider and Pinkerton (Mayor)

                                 Absent:        Council Members - Reid (excused absence  
                                                                 pursuant to State of California Government  
                                                                 Code Section 36513)

                                 Also Present: City Manager Peterson, Assistant City  
                                                                 Manager Glenn, Community Development  
                                                                 Director Schroeder, Public Works Director  
                                                                 Ronsko, Finance Director Holm, Fire Chief  
                                                                 Hughes, City Attorney McNatt, and City Clerk  
                                                                 Reimche

INVOCATION                The invocation was given by Pastor Skip Suess, Center of  
                                                                 Hope.

PLEDGE OF                The Pledge of Allegiance was led by Mayor Pinkerton.  
ALLEGIANCE

PRESENTATIONS

CHECK RECEIVED FROM  
THE OLD LODI HIGH  
SCHOOL SITE  
FOUNDATION                Old Lodi High School Site Foundation representative, Dr.  
                                                                 Frank Johnson, presented a check in the amount of \$50,000  
CC-27(e)                    to be applied against the construction loan of the Fine  
                                                                 Arts Facility. Mayor Pinkerton expressed sincere  
                                                                 appreciation to the Foundation for its ongoing efforts  
                                                                 towards this project.

PROCLAMATIONS        Mayor Pinkerton presented a proclamation to students  
                                                                 representing Tokay High School proclaiming October 21, 1988  
CC-37                    as "Tokay High School Day".

CONSENT CALENDAR      In accordance with report and recommendation of the City  
                                                                 Manager, Council, on motion of Council Member Olson,  
                                                                 Hinchman second, approved the following items hereinafter  
                                                                 set forth.

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CLAIMS CC-21(a)        Claims were approved in the amount of \$1,135,097.11.

MINUTES                No minutes were presented for City Council approval.

PURCHASE OF  
DIAL-A-RIDE MINI  
VANS APPROVED        The City Council approved the purchase of two 1988 Dodge  
                                                                 mini vans and two radios, and authorized staff to submit a  
CC-20                    revised claim for Transportation Development Act funds in  
CC-47                    the amount of \$32,000 to pay for this equipment.

The City Council was apprised by Assistant City Manager Glenn that when the City submitted the 1988-89 claim for Transportation Development Act funds \$27,000 was included for additional equipment. It was thought that the City could purchase a small bus with wheelchair capability for these funds. As further analysis was done, it was concluded that more pieces of equipment were needed rather than one large one. A bus carries more people than a mini van, however, to utilize it to its maximum, large numbers of people need to be picked up in the same area at the same

Continued October 19, 1988

time and be transported to the same area at the same time. The characteristics of Dial-A-Ride do not conform to that criteria. The City of Lodi has larger numbers of people but their point of origin, time of service, and destination varies. Therefore, the best approach is to have a larger number of smaller vehicles. Mini vans can carry up to seven people rather than the four to five in the station wagons.

When it was determined Staff would recommend this course of action to the City Council, there was a misinterpretation of that decision and the vehicles were ordered without going to formal bid. The price from Hayward Dodge is \$14,300 including tax.

In discussing this with the City Attorney and Purchasing Officer, Staff has two alternatives to the situation: cancel the order and go to bid, or Council can find it is in the best interest of the City to go ahead with the purchase.

If the order can be cancelled and go to bid City will pay more for the vehicles than the order price and it will take another five or six months to obtain delivery. Telephone bids were made to the following Dodge agencies and received the following prices and delivery quotations:

		<u>Delivery</u>
Swift Dodge	\$15,000	6 months
Stockton Dodge	\$14,300	12-14 weeks
Weil Motors	\$14,800	12-14 weeks

Staff is particularly interested in purchasing Dodges as they presently have seven Dodge mini vans in their fleet. This would allow the economies of standardization. Because of the savings in price and the earlier delivery time (four to five weeks), it is staff's recommendation Council approve the purchase of two mini vans from Hayward Dodge at a cost of \$14,300. It is further recommended that Staff purchase two Motorola radios which are identical to the other seven presently in the Dial-A-Ride fleet.

The total cost for this equipment will be approximately \$32,000 including tax. The amount of \$25,000 has been approved for purchase of equipment; therefore, a revised claim for TDA funds must be submitted.

The purchase of two additional vehicles should provide the City with adequate numbers of equipment. City needs to begin replacing present equipment - of the seven vehicles presently in the fleet, two are 1982 vintage and are costing an inordinate amount to operate. Next year Staff proposes to purchase one more mini van and a van with wheelchair capability.

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CC-12.1(c)

The City Council approved the specifications for a tree trimming contract for power line clearing and authorized advertisement for bids thereon. The bid opening date has been set for November 1, 1988.

The City Council was advised that the Electric Utility Department is using Public Works Department's tree trimming crew for its power line clearing. However, the scope of line clearing is increasing, i.e. trees in many areas are maturing and growth is increasing. It is expected that

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trimming around secondaries and services will be necessary to improve the reliability of the system and thus will add to the work load of the tree trimming crew.

The City's tree trimming crew has not been able to keep up with the power line clearing task even though maximum time has been allocated to this function. Therefore, it is recommended that the Electric Utility Department enter into a contract arrangement for line clearing to supplement the effort by the City's own crew.

The 1988-89 fiscal year budget does include \$15,000 for contract line clearing. Depending on availability of the City's crew, it may be necessary to extend the contract utilizing funds budgeted, but not used by the City's crew.

SPECIFICATIONS FOR  
LODI PARKS PICNIC  
FACILITIES PARK  
FURNITURE APPROVED

The City Council approved the specifications for Lodi Parks Picnic Facilities Park Furniture and authorized advertising for bids.

CC-12.1(b)  
CC-12.1(c)

The City Council was advised that this project provides for the purchase of picnic tables, barbecues, and park benches for Graves, Beckman, English Oaks, and Emerson Parks. The purchase of the equipment is funded by the State Community Parklands Grant of 1986. The installation of the park furniture will be done by service groups coordinated through the Parks and Recreation Department.

PLANS AND SPECIFICA-  
TIONS FOR LAWRENCE  
PARK SPRINKLERS,  
350 NORTH WASHINGTON  
STREET APPROVED

The City Council approved the plans and specifications for Lawrence Park Sprinklers, 350 North Washington Street, and authorized advertising for bids.

CC-12.1(a)

The City Council was apprised that this project provides for an automated sprinkler system for the 3.6 acre Lawrence Park area. This system will replace the existing system that has been inoperative for several years and eliminate the water main cross-connection and backflow problems that exist at the park. This project is 100% funded by the 1986 Community Parklands Grant.

PLANS AND SPECIFICA-  
TIONS FOR ARMORY PARK  
SPRINKLERS, 333 NORTH  
WASHINGTON STREET  
APPROVED

The City Council approved the plans and specifications for Armory Park Sprinklers, 333 North Washington Street, and authorized advertising for bids.

CC-12.1(a)

The City Council was apprised that this project provides for an automated sprinkler system for the Armory Ball Park, replacing the hand-watering and quick coupler system now in use. The original budget estimate included sprinklers for the adjacent parking lot landscaping which has not been constructed. This accounts for the lower current project estimate. This project is totally funded by the 1986 Community Parklands Grant.

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MODIFIED CLASS  
SPECIFICATIONS FOR  
ASSISTANT CITY  
ENGINEER AND MODIFIED  
TITLE AND CLASS  
SPECIFICATIONS FOR  
SENIOR CIVIL ENGINEER  
APPROVED

CC-34 The City Council approved the revised class specification for Assistant City Engineer and revised title and class specification for Senior Civil Engineer (formerly Chief Civil Engineer).

The City Council was informed that, with the retirement of the Assistant City Engineer and subsequent promotion of the Chief Civil Engineer to that position, the Public Works Department is proposing a minor reorganization of the Engineering Division.

Under the present organization, the Assistant City Engineer is directly responsible for construction inspection and development review and supervises the Chief Civil Engineer who is responsible for design and traffic engineering. With the proposed organization, the Assistant City Engineer will be directly responsible for development review and traffic engineering and will supervise the Senior Civil Engineer responsible for design and construction engineering.

No salary changes for these classifications are being made with this reorganization.

The Public Works Director feels these changes make the best use of the present personnel and will provide improved design/construction coordination.

SALARY ADJUSTMENTS  
FOR MID-MANAGEMENT  
AND REPRESENTED FIRE  
UNIT EMPLOYEES APPROVED

RES. NO. 88-144 The City Council adopted Resolution No. 88-144 approving salary adjustments for mid-management and represented Fire Unit employees. The increase in the Fire unit is 4.9% across the board.

CC-34

The City Council was informed that in 1987 the City entered into a 3-year agreement with employees in the Fire unit which calls for a salary increase effective the pay period following the one in which October 1, 1988 falls in an amount equal to the change in an index of the cost of living, which is 4.9%.

SALARY ADJUSTMENTS  
FOR MID-MANAGEMENT  
AND REPRESENTED  
POLICE UNIT EMPLOYEES  
APPROVED

RES. NO. 88-145 The City Council adopted Resolution No. 88-145 approving salary adjustments for mid-management and represented Police Unit employees. The increase for the Police Unit is 6.2% across the board.

CC-34

In 1986 the City entered into a 3-year agreement with employees in the Police unit which calls for a salary increase effective the pay period which encompasses October 1, 1988 in an amount determined by a salary survey, which is 6.2%.

Continued October 19, 1988

IMPROVEMENTS UNDER  
WELL DRILLING, WELL  
1-R, 705 EAST LODI  
AVENUE, CONTRACT  
ACCEPTED

CC-90

The City Council accepted the improvements for "Well Drilling, Well 1R", 705 East Lodi Avenue", and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The City Council was advised that this contract was awarded to Clark Well and Equipment Company of Stockton on March 16, 1988 in the amount of \$53,950.00. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council with one exception described below.

The contract completion date was June 17, 1988, and the actual completion date was June 22, 1988. The final contract price was \$27,087.50.

A change order substantially reducing the contract price was mutually agreed upon after it was discovered the well casing installed did not meet the specifications. The steel casing specified contains copper to reduce corrosion and extend the well life. The casing installed did not contain copper in spite of having the proper shipping tags and mill certifications. This was revealed in the results of a metallurgical test requested by the City. The supplier traced the order and acknowledged the error.

Since re-drilling the well was impractical at this site, the City requested a deduction of 50% of the contract price. This was based on the casing supplier's information indicating a doubling in service life with the use of copper bearing casing over plain steel casing. After much discussion, the supplier agreed and paid the requested amount to the City.

IMPROVEMENTS UNDER  
ASPHALT CONCRETE  
OVERLAY, LOWER  
SACRAMENTO ROAD  
AT LODI AVENUE,  
CONTRACT ACCEPTED

CC-90

The City Council accepted the improvements for "Asphalt Concrete Overlay, Lower Sacramento Road at Lodi Avenue", and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The City Council was apprised that the contract was awarded to Claude C. Wood Company of Lodi on August 3, 1988, in the amount of \$29,955. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was October 14, 1988, and the actual completion date was October 11, 1988. The final contract price was \$31,176.24. The difference between the contract amount and the final contract price is mainly due to the actual quantity of asphalt concrete leveling course used on the job.

IMPROVEMENTS UNDER  
HUTCHINS STREET  
RECONSTRUCTION,  
RIMBY AVENUE TO  
VINE STREET,  
CONTRACT ACCEPTED

CC-90

The City Council accepted the improvements for "Hutchins Street Reconstruction, Rimby Avenue to Vine Street", and directed the Public Works Director to file a Notice of

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Completion with the County Recorder's office.

The City Council was informed that the contract was awarded to Claude C. Wood Company of Lodi on May 18, 1988, in the amount of \$301,841.50. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was October 7, 1988, and the actual completion date was October 6, 1988. The final contract price was \$304,279.32. The difference between the contract amount and the final contract price is mainly due to sanitary sewer manhole work and miscellaneous concrete work.

IMPROVEMENTS UNDER  
ORANGE AVENUE/MARIPOSA  
WAY WATER MAIN AND  
LAWRENCE AVENUE WATER  
MAIN, MAIN STREET TO  
WASHINGTON STREET,  
CONTRACT ACCEPTED

CC-90

The City Council accepted the improvements for "Orange Avenue/Mariposa Way Water Main and Lawrence Avenue Water Main, Main Street to Washington Street", and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The City Council was informed that the contract was awarded to Claude C. Wood Company of Lodi on April 6, 1988, in the amount of \$71,598.00. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was August 22, 1988, and the actual completion date was October 6, 1988. The final contract price was \$71,376.00. The contractor was charged \$810.00 in liquidated damages for the contract time overrun which was due to a late start.

PROFESSIONAL SERVICES  
AGREEMENT FOR  
CONSTRUCTION  
INSPECTION FOR THE  
CARNEGIE LIBRARY  
REMODEL PROJECT,  
301 WEST PINE STREET  
APPROVED

CC-14(a)  
CC-90

The City Council authorized the City Manager and City Clerk to execute the Professional Services Agreement between the City of Lodi and Ronald R. Hopper for construction inspection for the Carnegie Library remodel project.

The City Council was advised that on major City building projects, the City retains outside services for inspection. We have interviewed candidates and feel that Mr. Hopper is the most qualified person to do the job and is available under the terms of the agreement presented for Council's Review.

SUBDIVISION AGREEMENT  
ADDENDUM FOR THE APPLE  
ORCHARD, BOUNDED BY  
TOKAY STREET ON THE  
NORTH, COCHRAN ROAD  
ON THE SOUTH, AND  
LOWER SACRAMENTO ROAD  
ON THE WEST  
APPROVED

The City Council approved the Subdivision Agreement Addendum with James Sanguinetti for the Apple Orchard and

Continued October 19, 1988

CC-46

authorized the City Manager and City Clerk to execute the addendum.

This Subdivision Agreement Addendum covers the abandonment of existing storm drain facilities in Tokay Street, construction of new master storm drain lines tying the Westdale Basin area into the G-Basin, and extending a 15" storm drain line to Well 13. This work is the City's responsibility and it is in the City's best interest to have the developer's contractor complete the work at the time the other subdivision improvements are installed. Master storm drain money has been allocated for all of the above work. Water funds will be transferred into the master drain fund for the storm line to Well 13.

RETENTION OF ROBERT  
H. MULLEN, ATTORNEY-  
AT-LAW, TO REPRESENT  
THE CITY OF LODI IN  
NEGOTIATIONS WITH  
THE SOUTHERN PACIFIC  
TRANSPORTATION COMPANY  
REGARDING PROPERTY  
ACQUISITION  
APPROVED

CC-6  
CC-7(h)  
CC-14

The City Council authorized the retention of Robert H. Mullen, Esq., to represent the City of Lodi in negotiations with the Southern Pacific Transportation Company regarding property acquisition.

The City Council was advised that for the past several months there have been a number of discussions between the City Manager and representatives of the Southern Pacific Transportation Company regarding the possibility of the acquisition of certain property in the downtown area currently in the custody of Southern Pacific. The word "custody" is appropriate here because we are not entirely certain what Southern Pacific's rights are concerning this property. Specifically, we are talking about the block-long parcel immediately north and south of the Lodi Arch between the railroad tracks and Sacramento Street and from Elm Street on the north to Oak Street on the south. The prospect of the City acquiring the property surfaced some time ago when Southern Pacific applied to the City for a demolition permit to demolish and remove the train depot. Since that time, the future of the depot has become an item of concern of many people in the community. In addition to the preservation of the depot, the remaining property in the described area could be developed to provide additional parking downtown.

Acquisition of property from railroads can be a most complex undertaking. It is therefore recommended that the City retain the services of Robert H. Mullen, Esq. to assist the City in this effort. Obviously, Mr. Mullen's services will only be necessary should the City Council authorize the acquisition of all or a portion of this property. This acquisition is listed in the Five-Year Capital Improvement Program in the Public Facilities section but the project does not show funding at this time. Mr. Mullen has, over the years, become a recognized expert in this area of the law. His fee is a \$1,000 retainer with an hourly rate of \$150.

Continued October 19, 1988

VARIOUS ACTIONS  
TAKEN BY CITY COUNCIL  
PERTAINING TO C-BASIN,  
SOUTHEAST CORNER OF  
VINE STREET AND  
BECKMAN ROAD

- RES. NO. 88-146      The City Council took the following actions pertaining to  
C-Basin, located at the southeast corner of Vine Street and  
Beckman Road:
- CC-27(a)  
CC-27(c)
- a) Accepted the revised plan for C-Basin
  - b) Adopted Resolution No. 88-146 naming C-Basin Park, "The  
Reuben and Mary Pixley Park"
  - c) Authorized the City Manager and City Clerk to execute  
the necessary documents for the C-Basin Park acquisition

RESOLUTION ADOPTED  
DETERMINING UNPAID  
REASSESSMENTS AND  
PROVIDING FOR ISSUANCE  
OF REFUNDING BONDS  
IN THE TURNER ROAD  
AND CLUFF AVENUE  
REASSESSMENT AND REFUNDING

- RES. NO. 88-147      The City Council adopted Resolution No. 88-147, A  
Resolution Determining Unpaid Reassessments and Providing  
for Issuance of Refunding Bonds--Turner Road and Cluff  
Avenue Assessment District No. 1.
- CC-10(g)

The City Council was advised that this Resolution replaces  
Resolution No. 88-143 passed by the City Council on October  
5, 1988 which inadvertently omitted two special funds  
required by Internal Revenue Service Code Section No. 148  
relating to earnings on investments and rebates, if  
necessary, of excess investment earnings. Paragraph 14,  
Investment Earnings Fund, and paragraph 15, Excess  
Investment Earnings Fund, on page 4 of Resolution No.  
88-147 satisfy the Internal Revenue Service regulations  
relating to arbitrage of investment earnings required by  
the 1986 Tax Reform Act.

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COMMENTS BY CITY  
COUNCIL MEMBERS

The following comments were received under the "Comments by  
City Council Members" segment of the agenda:UPDATE GIVEN ON

CONDITION OF  
MARJORIE REID

Mayor Pro Tempore Snider gave an update on the condition of  
Marjorie Reid.

MAYOR ANNOUNCES  
ESSAY CONTEST ON  
THE IMPORTANCE OF  
VOTING IN OUR  
COUNTRY

Mayor Pinkerton announced that the City of Lodi is  
sponsoring an essay contest for all high school students in  
the City of Lodi. The subject of the essay is THE  
IMPORTANCE OF VOTING IN OUR COUNTRY. There will be four  
prizes for the best entries - 1st place is a \$100 U.S.  
Savings Bond, 2nd a \$50 Bond, and 3rd and 4th place winners  
will receive a \$25 Bond. The judges for the contest will  
be a panel of members from the League of Women Voters.

CC-18



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Deadline for entries is Thursday, October 27, 1988 at 5:00 p.m. All entries are to be submitted to the City Clerk's office.

COMMENTS BY THE  
PUBLIC ON NON  
AGENDA ITEMS

The following comments were received under the "Comments by the public on non-agenda items" segment of the agenda:

REQUEST RECEIVED  
FROM VFW TO TIE  
RED RIBBONS ON ALL  
TREES ON SCHOOL  
STREET BETWEEN LODI  
AVENUE AND LOCKEFORD  
STREET THE WEEK OF  
NOVEMBER 6-12, 1988  
TO CALL ATTENTION TO  
THOSE MISSING IN  
ACTION AND P.O.W.'S

CC-6

Mr. Leland Fortner of the Veterans of Foreign Wars, Lodi Post 1968, addressed the City Council requesting permission to once again tie red ribbons on all trees on School Street between Lodi Avenue and Lockeford Street the week of November 6-12, 1988 to call attention to those missing in action and P.O.W.'s from World War II, the Korean War, and Viet Nam. It was the consensus of the City Council to grant the request. It will be necessary for the group to obtain an encroachment permit as they have done in the past.

## PUBLIC HEARINGS

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pinkerton called for the Public Hearing to consider the appeal of RoseMarie Mendonca of the Planning Commission's denial regarding the General Plan Amendment and rezoning of parcels located at 537 and 539 East Pine Street

APPEAL OF ROSEMARIE  
MENDONCA OF THE  
PLANNING COMMISSION'S  
DENIAL REGARDING THE  
GENERAL PLAN AMENDMENT  
AND REZONING OF PARCELS  
LOCATED AT 537 AND 539  
EAST PINE STREET  
CONTINUED

CC-35

CC-53(a)

CC-53(b)

Community Development Director Schroeder and City Attorney McNatt advised the City Council that Lodi Municipal Code Section 17.84.050 sets forth that "if the report of the planning commission recommends disapproval of the proposed change or amendment or reclassification, the applicant upon notification of such action may, within twenty days thereafter, appeal to the City Council. After a public hearing with due notice as provided in this chapter and after further reference to the planning commission for a supplementary report, the City Council may by a four-fifths vote of the entire council grant any appealed application and adopt by the vote an ordinance effecting such proposed changes or portions thereof".

Ms. Mendonca was apprised that inasmuch as Council Member Reid was not in attendance at this meeting, her appeal would require a unanimous vote of approval by all members of the City Council present for passage.

Based on this information, Ms. Mendonca requested that the matter be continued to the regular council meeting of November 16, 1988.

Continued October 19, 1988

On motion of Mayor Pro Tempore Snider, Hinchman second, the City Council continued the subject public hearing to the regular council meeting of November 16, 1988.

APPEAL OF VICTOR W.  
MEYER, REPRESENTING  
GRIFFIN INDUSTRIAL  
PARK, 1350 AND 1370  
EAST PINE STREET, OF  
THE PLANNING COMMISSION'S  
REQUIREMENT TO CONSTRUCT  
A 7-FOOT HIGH MASONRY  
FENCE ALONG THE EAST  
SIDE OF GUILD AVENUE  
GRANTED

CC-35  
CC-53(a)  
CC-53(b)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pinkerton called for the Public Hearing to consider the appeal of Victor W. Meyer, representing Griffin Industrial Park, 1350 and 1370 East Pine Street, of the Planning Commission's requirements to construct a 7-foot high masonry fence along the east side of Guild Avenue.

Community Development Director Schroeder introduced the matter advising that the City Council continue this matter so that the following could be determined:

1. What was the desire of the cemetery owner concerning the masonry wall?
2. Where was the exact location of the existing slatted, steel mesh fence? and
3. Who presently owns the property upon which some of the graves and a portion of the pump-house encroach?

During the week of October 2-8 the Community Development Director met with Mr. Robert Rocha, cemetery owner, and discussed the matter. Mr. Rocha was requested to direct a letter to the City Council outlining his concerns.

Community Development Director read the following letter which had been received from Robert A. Rocha, President, Lodi Memorial Cemetery regarding the matter:

"ATTN: ALICE REIMCHE: CITY CLERK  
RE: MASONRY FENCE REQUIREMENT IN REGARDS TO GRIFFIN  
INDUSTRIAL PARK

Dear Madam Clerk:

As the owner and curator of The Lodi Memorial Cemetery, I am writing this letter to clarify my desires concerning the above referenced project.

Lodi Memorial Cemetery is considered by many to be the historical cemetery of Lodi. Many of Lodi's founding fathers are buried in our cemetery. We pride ourselves on the fact that Lodi Memorial Cemetery is a peaceful and quiet cemetery, free from all noise pollution. At any time while walking through this cemetery the only sounds heard are the birds or wind rustling through the trees. Our only concern is that the esthetic value of this cemetery be preserved, not only for the family's we serve but also for the community.

We have installed an attractive wire mesh fence to protect and enhance the beauty of Lodi's Memorial Cemetery. We are however uncertain as to whether a masonry wall or very lush

Continued October 19, 1988

landscaping along the mesh fence would provide the privacy and protection this cemetery requires to maintain it's esthetic value. With these concerns in mind, we will leave to Mr. Griffin and the City Council that final decision.

Thank you for your concern in regards to this situation.

Sincerely,

s/Robert A. Rocha  
President, Lodi Memorial Cemetery"

Mr. Vic Meyer has presented a drawing to the Public Works Department which was prepared by Baumbach and Piazza, Consulting Engineers. This drawing indicates the slatted, steel mesh fence is in its ultimate location (i.e. future property line).

It has been determined that the parcel located between the old and new property lines is still owned by Robert Griffin and his partner. It would appear that this parcel should be shown on the Final Map of Griffin Industrial Park as Parcel "A" and the parcel transferred to the cemetery.

Diagrams of the subject area were presented for Council's perusal.

Mr. Victor W. Meyer, representing Griffin Industrial Park, 1350 and 1370 East Pine Street, spoke in favor of the appeal.

There were no persons wishing to speak in opposition.

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

A lengthy discussion followed with questions regarding the matter being directed to staff and to Mr. Meyer.

Council Member Hinchman moved for denial of the appeal. The motion died for lack of a second.

Mayor Pinkerton then moved that the City Council grant the appeal whereby Mr. Griffin would not be required to construct the 7-foot high masonry fence along the east side of Guild Avenue. The motion was seconded by Mayor Pro Tempore Snider and carried by the following vote:

Ayes: Council Members - Olson, Snider, and  
Pinkerton (Mayor)

Noes: Council Members - Hinchman

Absent: Council Members Reid

#### PLANNING COMMISSION REPORT

CC-35

City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of October 10, 1988.

The Planning Commission -

#### ITEMS OF INTEREST

1. Conditionally approved the request of Terry Piazza, Baumbach and Piazza, Consulting Engineers on behalf of MCP Investments for a Tentative Parcel Map to create six lots from the property at 1301 East Vine Street in an area zoned M-2, Heavy Industrial.

Continued October 19, 1988

Certified the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on this request.

2. Conditionally approved the request of Salem United Methodist Church for a Use Permit to remove an existing single-family dwelling and replace it with an off-street parking lot at 111 North Central Avenue.
3. In response to a letter from the Lodi Historic Society, suggested that the Planning Commission prepare a Historic Preservation Element after the adoption of the Revised General Plan.

#### COMMUNICATIONS (CITY CLERK)

CLAIMS CC-4(c) On recommendation of the City Attorney and ADJUSTCO, the City's Contract Administrator, the City Council on motion of Council Member Hinchman, Olson second, denied the following claims and referred them back to ADJUSTCO:

- a) Delmar D. Allen, DOL 7/18/88
- b) K & K Tire and Wheel, DOL 8/24/88
- c) Robert McLeish, DOL 8/10/88

#### APPEAL OF H & M BUILDERS OF THE PLANNING COMMISSION'S DENIAL OF APPROVAL OF THE TENTATIVE SUBDIVISION MAP OF IRIS PLACE, PHASE II, SET FOR PUBLIC HEARING

CC-35  
CC-53(a)  
CC-53(b)

On motion of Council Member Olson, Hinchman second, the City Council set a public hearing on November 2, 1988 to consider the appeal of Donald R. Pearson on behalf of H & M Builders of the Planning Commission's denial of his requested approval of the Tentative Subdivision Map of Iris Place, Phase II, a 1.0 acre, 6-lot single-family residential development, proposed for 1420 Iris Drive (APN 033-040-15) in an area zoned R-1, Single-Family Residential.

#### REGULAR CALENDAR

#### AMENDED FEE SCHEDULE APPROVED FOR SERVICE PROVIDED BY LIFE MEDICAL INDUSTRIES, INC.

RES. NO. 88-148

CC-22.1(a)  
CC-56

City Manager Peterson advised the City Council that Life Medical Industries Inc., operators of the ambulance service in the City of Lodi, has submitted a request for City Council approval of certain adjustments to the ambulance service rate schedule. The increases are in the 7% to 7.5% range (with the exception of the mileage charge which would move from \$7.00 to \$8.60, an increase of 23%), and are consistent with the County-wide maximum rate schedule approved by the Board of Supervisors in September, 1987. There is no change in the Waiting Time (per 1/2 hour) charge. This new Board-approved rate schedule became effective May 1, 1988. The ambulance company's request is that these new rates be effective December 1, 1988. The last rate adjustment was effective November 18, 1987.

Continued October 19, 1988

The City Code provides that the City Council "reserves the right to finally determine and fix by resolution, the rates to be charged by the operator of the ambulance service." Mr. Mike Nilssen, President of Life Medical Industries, Inc. addressed the City Council regarding his request and answered questions as were posed. Listed below is a schedule reflecting the current rates and the proposed new rates.

Life Medical Industries, Inc. Service Rate Adjustments  
=====

	Current Rate	Proposed Rate
Base Rate, Non-emergency	\$138.00	\$148.00
Base Rate, Emergency	\$181.00	\$194.00
Base Rate, Advance Life Support	\$331.00	\$356.00
Night Call (7:00 p.m.-7:00 a.m.)	\$ 43.00	\$ 46.00
Oxygen (per use)	\$ 26.00	\$ 28.00
Mileage (per mile)	\$ 7.00	\$ 8.60
Waiting Time (per 1/2 hour)	\$ 24.00	\$ 24.00

Following discussion, on motion of Council Member Hinchman, Olson second, the City Council adopted Resolution No. 88-148 approving the request of the Life Medical Industries, Inc. for a rate modification, as heretofore set forth, effective December 1, 1988.

RECESS

Mayor Pinkerton declared a five-minute recess and the City Council reconvened at approximately 8:40 p.m.

FIRE CHIEF PRESENTS  
A REPORT CONCERNING  
THE CITY'S FIRE  
INSPECTION PROGRAM

CC-24(b)

Fire Chief Larry Hughes presented an indepth report concerning the City's fire inspection program and responded to questions as were posed regarding his presentation.

1988-89 CAPITAL  
IMPROVEMENT PROGRAM  
APPROVED

ORD. NO. 1439  
INTRODUCED

CC-15  
CC-149

City Manager Peterson reminded the City Council that the last five "Shirtsleeve" sessions have been devoted to a review of the City's recommended five-year Capital Improvement Program. At the October 11 "Shirtsleeve" meeting the City Council reviewed a more focused two-year program. The staff is now recommending the adoption of the first year (1988-89) of this program. The Planning Commission has determined that the five-year program is consistent with the General Plan.

Following discussion, Mayor Pro Tempore Snider moved introduction of Ordinance No. 1439 adopting the 1988-89 Capital Improvement Program. The motion was seconded by Council Member Olson and carried by unanimous vote of all council members present.

Continued October 19, 1988

CITY COUNCIL NAMES  
NEW COUNCIL CHAMBER  
COMPLEX "CARNEGIE  
FORUM"

CC-6  
CC-14(a)

City Manager Peterson reported that at the regular City Council meeting of September 7, 1988 the Council discussed the issue of the naming of the Carnegie Library building which is currently being remodeled to provide new facilities for meetings of the City Council, Planning Commissions, Parks and Recreation Commission and other public groups. The architect suggested "Carnegie Forum." Other suggestions submitted for the City Council's consideration included:

. Town Hall	. Carnegie Library
. Lodi Council Chambers	. Council Chambers
. Carnegie Hall	. Lodi Carnegie Hall

The Council was split on the naming of the building, and directed the staff to coordinate a citizen participation effort to assist in the naming of the building. Display advertisements were published in the Lodi News-Sentinel on two separate days. A little over 100 responses were received. The four names which received the most votes were Carnegie Hall, Lodi Carnegie Hall, Carnegie Forum and Carnegie Library. The Lodi Historical Society recommends Carnegie Forum.

Following discussion, on motion of Mayor Pinkerton, Olson second, the City Council named the new Council Chamber Complex "Carnegie Forum".

AWARD CONTRACT FOR  
PIPING FOR DIESEL  
TANK AT WHITE  
SLOUGH WATER POLLUTION  
CONTROL FACILITY

RES. NO. 88-149  
CC-12(d)

City Manager Peterson reported that the City had received the following three bids for Piping for Diesel Tank at White Slough Water Pollution Control Facility, 12751 North Thornton Road:

BIDDER	LOCATION	BID
RAMCON	West Sacramento	\$12,937.00
Petroleum Eng.	Santa Rosa	\$16,876.00
R. W. Johnston & Son	Oakland	\$17,843.00

This project is for furnishing and installing the necessary piping, valves, etc. from a previously purchased 3,000 gallon above-ground diesel tank to the boiler room at White Slough Water Pollution Control Facility. Once the new tank is installed, the existing underground tanks will be removed and disposed of.

Plans and specifications for this project were approved on September 28, 1988.

Sufficient funds remain in the project account to cover this contract.

On motion of Council Member Hinchman, Olson second, the City Council adopted Resolution No. 88-149 awarding the contract for the heretofore listed project to RAMCON in the amount of \$12,937.00.

Continued October 19, 1988

## ORDINANCES

ORDINANCE  
CONSOLIDATING  
MUNICIPAL ELECTIONS  
WITH STATEWIDE  
GENERAL ELECTIONSORD. NO. 1438  
ADOPTEDCC-18  
CC-149

Ordinance No. 1438 entitled, "An Ordinance of the Lodi City Council Consolidating Municipal Elections with Statewide General Elections" having been introduced at a regular meeting of the Lodi City Council held October 5, 1988 was brought up for passage on motion of Council Member Hinchman, Olson second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Hinchman, Olson, Snider and Pinkerton (Mayor)

Noes: Council Members - None

Absent: Council Members - Reid

Abstain: Council Members - None

## ADJOURNMENT

There being no further business to come before the City Council, Mayor Pinkerton adjourned the meeting at approximately 9:10 p.m.

ATTEST:

*Alice M. Reimche*  
Alice M. Reimche  
City Clerk